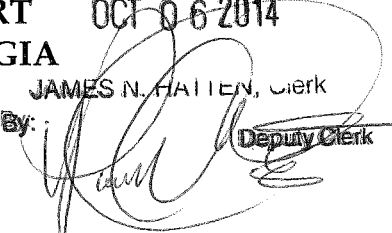


FILED IN OPEN COURT
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

OCT 06 2014

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

THOMAS E. PEREZ
SECRETARY OF LABOR,
UNITED STATES DEPARTMENT
OF LABOR

Plaintiff,

CIVIL ACTION FILE NO. 1:14-cv-
03143

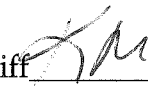
v.

ANTICO FOODS, LLC and
GIOVANNI DIPALMA,

Respondent

CONSENT ORDER

This cause comes before the Court on Petitioner The Secretary of Labor, Thomas E. Perez's, application for a Temporary Restraining Order and Order to Show Cause Why A Preliminary Injunction Should Not Issue, filed on September 30, 2014. [DN 2.] On October 3, 2014, Defendants filed their Opposition to Petitioner's Application for a Temporary Restraining Order and Order for Respondents to Show Cause Why a Preliminary Injunction Should Not Issue and a supplement thereto on October 6, 2013 denying the allegations made by the Secretary. [DN 8, 10]. The parties appeared before the Court on October 6, 2014, for a hearing on this matter. The Court expresses no opinion on the merits of the Secretary's allegations or Respondents' defenses. In order to resolve

Plaintiff 


Defendants 

the issues before the Court, the parties agree to entry of the following Consent Order:

1. Respondents agree that they will not terminate or threaten to terminate, cause any employee to be deported or threaten to cause any employee to be deported, or retaliate or discriminate in any way against current and former employees of Antico Foods, LLC based on Respondents' belief that an employee spoke with, or intends to speak with, a Department of Labor Wage and Hour investigator, filed a complaint with the Department of Labor, or cooperated in any way in the Wage and Hour investigation currently being conducted of Antico Foods, LLC;
2. Respondents agree that they will not tell anyone who works for them not to speak to representatives of the Department of Labor or to provide false information to the Department of Labor or otherwise coerce employees to make false statements regarding the terms and conditions of their employment;
3. Respondents will not obstruct the Department of Labor's investigation of Antico Foods, LLC in any manner;
4. Respondents will permit a designee of the DOL to read aloud in English and Spanish the following statement, to all employees during paid work hours and outside of customer hours and with attorneys for Respondents present at the Antico warehouse, informing them of their right to speak, without retaliation or threats of retaliation or intimidation, with DOL investigators regarding the instant investigation:

You are protected by the Fair Labor Standards Act and have the right to participate freely in the U.S. Department of Labor's investigation into your employer's pay practices. You have the

Plaintiff 

Defendants 

right to speak freely with investigators or other officials from the Department of Labor, and to not reveal these communications. Your employer is prohibited from retaliating and will not retaliate against you in any way, including termination of your employment, because you spoke with the Department of Labor.


Per a Consent Order entered in the U.S. District Court for the Northern District of Georgia, the Department of Labor, Antico Foods, LLC, and Giovanni DiPalma have agreed that the employer and anyone acting on its behalf will not coerce, retaliate against, threaten to retaliate against, intimidate, or attempt to influence, or in any way threaten employees for providing information to the Department of Labor.

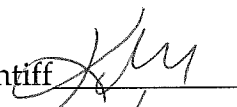
[The Spanish language translation of the foregoing shall be submitted to the Court on or before Wednesday, October 8, 2014.]

5. Defendants will post at each Antico Foods, LLC worksite a hard copy of the statement referred to in ¶ 4 above, in both English and Spanish.

This Consent Order shall be effective through the latter of (1) the conclusion of the DOL's wage and hour investigation of Respondents or (2) the conclusion of any litigation arising therefrom. The Secretary shall provide Respondents with written notice via certified U.S. Mail or overnight courier care of Respondents' counsel, Wargo French LLP, when the investigation has concluded.

SO ENTERED, THIS 6th OF OCTOBER, 2014


The Honorable Steve Jones
United States District Judge

Plaintiff 
Defendants 